



Rep. Thomas Bennett

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09900HB1601ham001

LRB099 06527 HEP 32186 a

1 AMENDMENT TO HOUSE BILL 1601

2 AMENDMENT NO. _____. Amend House Bill 1601 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing
5 Section 4-11001 as follows:

6 (55 ILCS 5/4-11001) (from Ch. 34, par. 4-11001)

7 (Text of Section before amendment by P.A. 98-1132)

8 Sec. 4-11001. Juror fees. Each county shall pay to grand
9 and petit jurors for their services in attending courts the sum
10 of \$4 for each day of necessary attendance at such courts as
11 jurors in counties of the first class, the sum of \$5 for each
12 day in counties of the second class, and the sum of \$10 for
13 each day in counties of the third class, or such higher amount
14 as may be fixed by the county board.

15 In addition, jurors shall receive such travel expense as
16 may be determined by the county board, provided that jurors in

1 counties of the first class and second class shall receive at
2 least 10 cents per mile for their travel expense. Mileage shall
3 be allowed for travel during a juror's term as well as for
4 travel at the opening and closing of his term.

5 If a judge so orders, a juror shall also receive
6 reimbursement for the actual cost of day care incurred by the
7 juror during his or her service on a jury.

8 The juror fees for service, transportation, and day care
9 shall be paid out of the county treasury.

10 The clerk of the court shall furnish to each juror without
11 fee whenever he is discharged a certificate of the number of
12 days' attendance at court, and upon presentation thereof to the
13 county treasurer, he shall pay to the juror the sum provided
14 for his service.

15 Any juror may elect to waive the fee paid for service,
16 transportation, or day care, or any combination thereof.

17 (Source: P.A. 97-840, eff. 1-1-13.)

18 (Text of Section after amendment by P.A. 98-1132)

19 Sec. 4-11001. Juror fees. Each county shall pay to grand
20 and petit jurors for their services in attending courts the sum
21 of \$4 ~~sums of \$25 for the first day and thereafter \$50~~ for each
22 day of necessary attendance at such courts as jurors in
23 counties of the first class, the sum of \$5 for each day in
24 counties of the second class, and the sum of \$10 for each day
25 in counties of the third class, or such higher amount as may be

1 fixed by the county board.

2 In addition, jurors shall receive such travel expense as
3 may be determined by the county board, provided that jurors in
4 counties of the first class and second class shall receive at
5 least 10 cents per mile for their travel expense. Mileage shall
6 be allowed for travel during a juror's term as well as for
7 travel at the opening and closing of his or her term.

8 If a judge so orders, a juror shall also receive
9 reimbursement for the actual cost of day care incurred by the
10 juror during his or her service on a jury.

11 The juror fees for service, transportation, and day care
12 shall be paid out of the county treasury.

13 The clerk of the court shall furnish to each juror without
14 fee whenever he is discharged a certificate of the number of
15 days' attendance at court, and upon presentation thereof to the
16 county treasurer, he shall pay to the juror the sum provided
17 for his service.

18 Any juror may elect to waive the fee paid for service,
19 transportation, or day care, or any combination thereof.

20 (Source: P.A. 97-840, eff. 1-1-13; 98-1132, eff. 6-1-15.)

21 Section 10. The Code of Civil Procedure is amended by
22 changing Section 2-1105 as follows:

23 (735 ILCS 5/2-1105) (from Ch. 110, par. 2-1105)

24 (Text of Section before amendment by P.A. 98-1132)

1 Sec. 2-1105. Jury demand.

2 (a) A plaintiff desirous of a trial by jury must file a
3 demand therefor with the clerk at the time the action is
4 commenced. A defendant desirous of a trial by jury must file a
5 demand therefor not later than the filing of his or her answer.
6 Otherwise, the party waives a jury. If an action is filed
7 seeking equitable relief and the court thereafter determines
8 that one or more of the parties is or are entitled to a trial by
9 jury, the plaintiff, within 3 days from the entry of such order
10 by the court, or the defendant, within 6 days from the entry of
11 such order by the court, may file his or her demand for trial
12 by jury with the clerk of the court. If the plaintiff files a
13 jury demand and thereafter waives a jury, any defendant and, in
14 the case of multiple defendants, if the defendant who filed a
15 jury demand thereafter waives a jury, any other defendant shall
16 be granted a jury trial upon demand therefor made promptly
17 after being advised of the waiver and upon payment of the
18 proper fees, if any, to the clerk.

19 (b) All jury cases where the claim for damages is \$50,000
20 or less shall be tried by a jury of 6, unless either party
21 demands a jury of 12. If a fee in connection with a jury demand
22 is required by statute or rule of court, the fee for a jury of 6
23 shall be 1/2 the fee for a jury of 12. A party demanding a jury
24 of 12 after another party has paid the applicable fee for a
25 jury of 6 shall pay the remaining 1/2 of the fee applicable to
26 a jury of 12.

1 (Source: P.A. 94-206, eff. 1-1-06.)

2 (Text of Section after amendment by P.A. 98-1132)

3 Sec. 2-1105. Jury demand.

4 (a) A plaintiff desirous of a trial by jury must file a
5 demand therefor with the clerk at the time the action is
6 commenced. A defendant desirous of a trial by jury must file a
7 demand therefor not later than the filing of his or her answer.
8 Otherwise, the party waives a jury. If an action is filed
9 seeking equitable relief and the court thereafter determines
10 that one or more of the parties is or are entitled to a trial by
11 jury, the plaintiff, within 3 days from the entry of such order
12 by the court, or the defendant, within 6 days from the entry of
13 such order by the court, may file his or her demand for trial
14 by jury with the clerk of the court. If the plaintiff files a
15 jury demand and thereafter waives a jury, any defendant and, in
16 the case of multiple defendants, if the defendant who filed a
17 jury demand thereafter waives a jury, any other defendant shall
18 be granted a jury trial upon demand therefor made promptly
19 after being advised of the waiver and upon payment of the
20 proper fees, if any, to the clerk.

21 (b) All jury cases where the claim for damages is \$50,000
22 or less shall be tried by a jury of 6, unless either party
23 demand a jury of 12. If a fee in connection with a jury demand
24 is required by statute or rule of court, the fee for a jury of 6
25 shall be 1/2 the fee for a jury of 12. A party demanding a jury

1 of 12 after another party has paid the applicable fee for a
2 jury of 6 shall pay the remaining 1/2 of the fee applicable to
3 a jury of 12. ~~If alternate jurors are requested, an additional~~
4 ~~fee established by the county shall be charged for each~~
5 ~~alternate juror requested. For all cases filed prior to the~~
6 ~~effective date of this amendatory Act of the 98th General~~
7 ~~Assembly, if a party has paid for a jury of 12, that party may~~
8 ~~demand a jury of 12 upon proof of payment.~~

9 (Source: P.A. 98-1132, eff. 6-1-15.)

10 Section 95. No acceleration or delay. Where this Act makes
11 changes in a statute that is represented in this Act by text
12 that is not yet or no longer in effect (for example, a Section
13 represented by multiple versions), the use of that text does
14 not accelerate or delay the taking effect of (i) the changes
15 made by this Act or (ii) provisions derived from any other
16 Public Act.

17 Section 99. Effective date. This Act takes effect June 1,
18 2015."